

1-1 By: King of Uvalde (Senate Sponsor - Zaffirini) H.B. No. 1584
1-2 (In the Senate - Received from the House April 24, 2017;
1-3 May 2, 2017, read first time and referred to Committee on
1-4 Intergovernmental Relations; May 4, 2017, reported favorably by
1-5 the following vote: Yeas 7, Nays 0; May 4, 2017, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	Lucio	X		
1-9	Bettencourt	X		
1-10	Campbell	X		
1-11	Garcia	X		
1-12	Huffines	X		
1-13	Menéndez	X		
1-14	Taylor of Collin	X		

1-15 A BILL TO BE ENTITLED
1-16 AN ACT

1-17 relating to the implementation of county solid waste management
1-18 programs in certain counties.
1-19 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
1-20 SECTION 1. Section 364.011, Health and Safety Code, is
1-21 amended by amending Subsection (a) and adding Subsection (a-1) to
1-22 read as follows:
1-23 (a) Subject to the limitation provided by Sections 361.151
1-24 and 361.152 (Solid Waste Disposal Act), and subject to Subsection
1-25 (a-1), a commissioners court by rule may regulate solid waste
1-26 collection, handling, storage, and disposal in areas of the county
1-27 not in a municipality or the extraterritorial jurisdiction of a
1-28 municipality.
1-29 (a-1) A commissioners court by rule may regulate solid waste
1-30 collection, handling, storage, and disposal by establishing a
1-31 mandatory program under Section 364.034 in an area of the county
1-32 located within the extraterritorial jurisdiction of a municipality
1-33 if:
1-34 (1) the municipality does not provide solid waste
1-35 disposal services in that area; and
1-36 (2) the county:
1-37 (A) is adjacent to the United Mexican States;
1-38 (B) has a population of less than 300,000; and
1-39 (C) contains a municipality with a population of
1-40 200,000 or more.
1-41 SECTION 2. Section 364.034, Health and Safety Code, is
1-42 amended by adding Subsections (a-1) and (a-2) to read as follows:
1-43 (a-1) Notwithstanding Subsection (a)(2), a person is not
1-44 required to use solid waste disposal services offered by a county,
1-45 as authorized under Section 364.011(a-1), to persons in an area of
1-46 the county located within the extraterritorial jurisdiction of a
1-47 municipality if:
1-48 (1) the person contracts for solid waste disposal
1-49 services with a provider that meets rules adopted by the commission
1-50 for the regulation of solid waste disposal; or
1-51 (2) the person is a private entity that contracts to
1-52 provide temporary solid waste disposal services to a construction
1-53 site or project by furnishing a roll-off container used to
1-54 transport construction waste or demolition debris to a facility for
1-55 disposal or recycling.
1-56 (a-2) Subsection (a-1) does not affect the authority of a
1-57 governmental entity to pursue actions under Subchapter B, Chapter
1-58 365, to address illegal dumping.
1-59 SECTION 3. The changes in law made by this Act apply only to
1-60 a contract for private solid waste collection, handling, storage,
1-61 or disposal entered into on or after the effective date of this Act.

2-1 A contract for private solid waste collection, handling, storage,
2-2 or disposal entered into before the effective date of this Act is
2-3 governed by the law in effect immediately before the effective date
2-4 of this Act, and that law is continued in effect for that purpose.

2-5 SECTION 4. This Act takes effect September 1, 2017.

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